

2007 Mr8 DRAFTING REQUEST**Senate Amendment (SA-SA1-AB1)**Received: **03/24/2008**Received By: **dkennedy**Wanted: **As time permits**

Identical to LRB:

For: **Mark Miller (608) 266-9170**By/Representing: **Liz Stephens**This file may be shown to any legislator: **NO**Drafter: **dkennedy**

May Contact:

Addl. Drafters: **agary
rryan**Subject: **Health - medical assistance**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Miller@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Hospital assessment changes compile

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	chanaman 03/24/2008	csicilia 03/25/2008		_____			
/1	rryan 03/25/2008	csicilia 03/25/2008	rschluet 03/25/2008	_____	sbasford 03/25/2008	sbasford 03/25/2008	
/2			rschluet 03/25/2008	_____	lparisi 03/25/2008	lparisi 03/25/2008	

FE Sent For:

<END>

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/P1	chanaman 03/24/2008	csicilia 03/25/2008					
/I			1245 3/25 rschluet 03/25/2008		sbasford 03/25/2008	sbasford 03/25/2008	

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/P1	chanaman 03/24/2008	lrb_editor					

FE Sent For:

<END>

RESEARCH APPENDIX - Draft Transfer/Copy Request Form

- Atty's please complete this form and give to Mike Barman

(Request Made By: DAK) (Date: 3 / 25 / 08)



☐ Please transfer the drafting file for
2005 LRB to the drafting file
for 2007 LRB

The final version of the 2005 draft and the final Request Sheet will be copied on yellow paper, and returned to the original 2005 drafting file. A new cover sheet will be created/included listing the new location of the drafting file's "guts".

For research purposes, because the 2005 draft was incorporated into a 2007 draft, the complete drafting file will be transferred, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the 2007 draft. If introduced, the appendix will be scanned/added to the electronic drafting file folder.

--OR--

☐ Please copy the drafting file for
2007 LRB a 1692/PI
b 1285/PI
b 1281/PI / (include the version) and place it in the
drafting file for 2007 LRB b 1284

SA2-SAI-AB1
(Mr 8)

For research purposes, because the original 2007 draft was incorporated into another 2007 draft, the original drafting file will be copied on yellow paper (darkened/auto centered/reduced to 90%) and added, as a separate appendix, to the new 2007 drafting file. This request form will be inserted into the "guts" of the new 2007 draft. If introduced the appendix will be scanned/added to the electronic drafting file folder.

The original drafting file will then returned, intact, to its folder and filed. For future reference, a copy of the transfer/copy request form will also be added to the "guts" of the original draft.

(NOW)

2007 - 2008 LEGISLATURE
March 2008 Special Session

LRBa1692/P1
DAK/wlj:pg

61284/1
RLRARG

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~ & g/s

SENATE AMENDMENT ,
TO SENATE AMENDMENT 1,
TO ASSEMBLY BILL 1

1 At the locations indicated, amend the amendment as follows:

INSERT
1-1

2 **1.** Page 2, line 7: delete "147,726,500" and substitute "147,726,500".

3 **2.** Page 2, line 8: delete lines 8 to 10.

4 **3.** Page 2, line 23: delete the material beginning with that line and ending with
5 page 3, line 4.

6 **4.** Page 4, line 2: after that line insert:

7 **"SECTION 9aim.** 25.77 (11) of the statutes is created to read:

8 25.77 (11) In fiscal year 2007-08, \$58,500,000, and in fiscal year 2008-09 and
9 every fiscal year thereafter, \$65,000,000, as adjusted, if necessary, to comply with s.
10 50.375 (6), that is transferred from the hospital assessment fund."

1 **5.** Page 4, line 6: after “hospitals.” insert “From the hospital assessment fund
2 there is transferred to the Medical Assistance trust fund \$58,500,000 in fiscal year
3 2007–08 and \$65,000,000 in fiscal year 2008–09 and every fiscal year thereafter, as
4 adjusted, if necessary, to comply with s. 50.375 (6).”.

5 **6.** Page 4, line 7: delete the material beginning with that line and ending with
6 page 6, line 11, and substitute:

7 **“SECTION 9ajg.** 46.27 (9) (a) of the statutes is amended to read:

8 46.27 (9) (a) The department may select up to 5 counties that volunteer to
9 participate in a pilot project under which they will receive certain funds allocated for
10 long-term care. The department shall allocate a level of funds to these counties
11 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),
12 to nursing homes for providing care because of increased utilization of nursing home
13 services, as estimated by the department. In estimating these levels, the department
14 shall exclude any increased utilization of services provided by state centers for the
15 developmentally disabled. The department shall calculate these amounts on a
16 calendar year basis under sub. (10).

17 **SECTION 9ajh.** 46.27 (10) (a) 1. of the statutes is amended to read:

18 46.27 (10) (a) 1. The department shall determine for each county participating
19 in the pilot project under sub. (9) a funding level of state medical assistance
20 expenditures to be received by the county. This level shall equal the amount that the
21 department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),
22 or because of increased utilization of nursing home services, as estimated by the
23 department.

24 **SECTION 9aji.** 46.275 (5) (a) of the statutes is amended to read:

1 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
2 department under sub. (3r), provides under this program is available from the
3 appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w). If 2 or more counties
4 jointly contract to provide services under this program and the department approves
5 the contract, Medical Assistance reimbursement is also available for services
6 provided jointly by these counties.

7 **SECTION 9ajj.** 46.275 (5) (c) of the statutes is amended to read:

8 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w) to
9 counties and to the department under sub. (3r) for services provided under this
10 section may not exceed the amount approved by the federal department of health and
11 human services. A county may use funds received under this section only to provide
12 services to persons who meet the requirements under sub. (4) and may not use
13 unexpended funds received under this section to serve other developmentally
14 disabled persons residing in the county.

15 **SECTION 9ajk.** 46.283 (5) of the statutes is amended to read:

16 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
17 (bm), ~~(gp)~~, (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
18 organizations that meet standards under sub. (3) for performance of the duties under
19 sub. (4) and shall distribute funds for services provided by resource centers.

20 **SECTION 9ajL.** 46.284 (5) (a) of the statutes, as affected by 2007 Wisconsin Act
21 20, is amended to read:

22 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), ~~(gp)~~,
23 (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on
24 a capitated payment basis for the provision of services under this section.
25 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is

1 under contract with the department may expend the funds, consistent with this
2 section, including providing payment, on a capitated basis, to providers of services
3 under the family care benefit.

4 **SECTION 9ajm.** 46.485 (2g) (intro.) of the statutes is amended to read:

5 46.485 (2g) (intro.) From the appropriation accounts account under s. 20.435
6 (4) (b) ~~and (gp)~~, the department may in each fiscal year transfer funds to the
7 appropriation under s. 20.435 (7) (kb) for distribution under this section and from the
8 appropriation account under s. 20.435 (7) (mb) the department ~~may not~~ shall
9 distribute ~~more than~~ \$1,330,500 in each fiscal year to applying counties in this state
10 that meet all of the following requirements, as determined by the department.”.

11 **7.** Page 8, line 1: delete lines 1 to 17 and substitute:

12 **“SECTION 9bfg.** 49.45 (2) (a) 17. of the statutes is amended to read:

13 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
14 organization, the joint committee on finance and appropriate standing committees,
15 as determined by the presiding officer of each house, if the appropriation accounts
16 account under s. 20.435 (4) (b) ~~and (gp) are~~ is insufficient to provide the state share
17 of medical assistance.

18 **SECTION 9bfh.** 49.45 (5m) (ag) of the statutes is repealed.

19 **SECTION 9bfi.** 49.45 (5m) (am) of the statutes is amended to read:

20 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriation accounts
21 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department shall distribute not more
22 than ~~\$2,256,000~~ \$5,256,000 in each fiscal year 2007–08 and each fiscal year
23 thereafter, to provide supplemental funds to rural hospitals that, as determined by
24 the department, have high utilization of inpatient services by patients whose care

1 is provided from governmental sources, ~~and to provide supplemental funds to critical~~
2 ~~access hospitals~~, except that the department may not distribute funds to a rural
3 hospital ~~or to a critical access hospital~~ to the extent that the distribution would
4 exceed any limitation under 42 USC 1396b (i) (3).”.

5 **8.** Page 8, line 21: delete “~~or (w), or (xd)~~” and substitute “or (w)”.

6 **9.** Page 9, line 3: delete the material beginning with that line and ending with
7 page 11, line 23, and substitute:

8 “**SECTION 9bkg.** 49.45 (6v) (b) of the statutes is amended to read:

9 49.45 (6v) (b) The department shall, each year, submit to the joint committee
10 on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that
11 provides information on the utilization of beds by recipients of medical assistance in
12 facilities and a discussion and detailed projection of the likely balances,
13 expenditures, encumbrances and carry over of currently appropriated amounts in
14 the appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, and (o).

15 **SECTION 9bkh.** 49.45 (6x) (a) of the statutes is amended to read:

16 49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriation accounts
17 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department shall distribute not more
18 than \$4,748,000 in each fiscal year, to provide funds to an essential access city
19 hospital, except that the department may not allocate funds to an essential access
20 city hospital to the extent that the allocation would exceed any limitation under 42
21 USC 1396b (i) (3).

22 **SECTION 9bki.** 49.45 (6y) (a) of the statutes is amended to read:

23 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts
24 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department ~~shall~~ may distribute funding

1 in each fiscal year to provide supplemental payment to hospitals that enter into a
2 contract under s. 49.02 (2) to provide health care services funded by a relief block
3 grant, as determined by the department, for hospital services that are not in excess
4 of the hospitals' customary charges for the services, as limited under 42 USC 1396b
5 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of
6 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the
7 department may distribute funds to hospitals that have not entered into a contract
8 under s. 49.02 (2).

9 **SECTION 9bkj.** 49.45 (6y) (am) of the statutes is amended to read:

10 49.45 (6y) (am) Notwithstanding sub. (3) (e), from the appropriation accounts
11 under s. 20.435 (4) (b), (h), ~~(gp)~~, (o), and (w), the department shall distribute funding
12 in each fiscal year to provide supplemental payments to hospitals that enter into
13 contracts under s. 49.02 (2) with a county having a population of 500,000 or more to
14 provide health care services funded by a relief block grant, as determined by the
15 department, for hospital services that are not in excess of the hospitals' customary
16 charges for the services, as limited under 42 USC 1396b (i) (3).

17 **SECTION 9bkk.** 49.45 (6z) (a) (intro.) of the statutes, as affected by 2007
18 Wisconsin Act 20, is amended to read:

19 49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation
20 accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department may distribute
21 funding in each fiscal year to supplement payment for services to hospitals that enter
22 into indigent care agreements, in accordance with the approved state plan for
23 services under 42 USC 1396a, with relief agencies that administer the medical relief
24 block grant under this chapter, if the department determines that the hospitals serve
25 a disproportionate number of low-income patients with special needs. If no medical

1 relief block grant under this chapter is awarded or if the allocation of funds to such
2 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
3 may distribute funds to hospitals that have not entered into indigent care
4 agreements. The department may not distribute funds under this subsection to the
5 extent that the distribution would do any of the following:

6 **SECTION 9bkL.** 49.45 (8) (b) of the statutes is amended to read:

7 49.45 (8) (b) Reimbursement under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w) for home
8 health services provided by a certified home health agency or independent nurse
9 shall be made at the home health agency's or nurse's usual and customary fee per
10 patient care visit, subject to a maximum allowable fee per patient care visit that is
11 established under par. (c).

12 **SECTION 9bkm.** 49.45 (24m) (intro.) of the statutes is amended to read:

13 49.45 (24m) (intro.) From the appropriation accounts under s. 20.435 (4) (b),
14 ~~(gp)~~, (o), and (w), in order to test the feasibility of instituting a system of
15 reimbursement for providers of home health care and personal care services for
16 medical assistance recipients that is based on competitive bidding, the department
17 shall:

18 **SECTION 9bkn.** 49.45 (52) of the statutes is amended to read:

19 49.45 (52) PAYMENT ADJUSTMENTS. Beginning on January 1, 2003, the
20 department may, from the appropriation account under s. 20.435 (7) (b), make
21 Medical Assistance payment adjustments to county departments under s. 46.215,
22 46.22, 46.23, or 51.42, or 51.437 or to local health departments, as defined in s. 250.01
23 (4), as appropriate, for covered services under s. 49.46 (2) (a) 2. and 4. d. and f. and
24 (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13., 15., and 16. Payment
25 adjustments under this subsection shall include the state share of the payments.

1 The total of any payment adjustments under this subsection and Medical Assistance
2 payments made from appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w),
3 may not exceed applicable limitations on payments under 42 USC 1396a (a) (30)
4 (A).”.

5 **10.** Page 13, line 22: delete the material beginning with that line and ending
6 with page 14, line 14, and substitute:

7 **“SECTION 9cbg.** 49.472 (6) (a) of the statutes is amended to read:

8 49.472 (6) (a) Notwithstanding sub. (4) (a) 3., from the appropriation account
9 under s. 20.435 (4) (b), ~~(gp)~~, or (w), the department shall, on the part of an individual
10 who is eligible for medical assistance under sub. (3), pay premiums for or purchase
11 individual coverage offered by the individual’s employer if the department
12 determines that paying the premiums for or purchasing the coverage will not be more
13 costly than providing medical assistance.

14 **SECTION 9cbh.** 49.472 (6) (b) of the statutes is amended to read:

15 49.472 (6) (b) If federal financial participation is available, from the
16 appropriation account under s. 20.435 (4) (b), ~~(gp)~~, or (w), the department may pay
17 medicare Part A and Part B premiums for individuals who are eligible for medicare
18 and for medical assistance under sub. (3).

19 **SECTION 9cbi.** 49.473 (5) of the statutes is amended to read:

20 49.473 (5) The department shall audit and pay, from the appropriation
21 accounts under s. 20.435 (4) (b), ~~(gp)~~, and (o), allowable charges to a provider who is
22 certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who
23 meets the requirements under sub. (2) for all benefits and services specified under
24 s. 49.46 (2).”.

1 **11.** Page 15, line 7: after “shall” insert “, for each fiscal year.”

2 **12.** Page 15, line 10: delete “accounts under s. 20.435 (4) (xc) and (xd)” and
3 substitute “account under s. 20.435 (4) (xc) and specified in s. 25.77 (11)”.

4 **13.** Page 15, line 13: delete lines 13 to 19 and substitute:

5 “(6) If the department determines that any portion of the revenue that is
6 collected under sub. (5) and appropriated under s. 20.435 (4) (xc) to provide Medical
7 Assistance payment increases for inpatient and outpatient hospital services as fee
8 for service or through health maintenance organizations is not eligible for federal
9 financial participation, the department shall refund to hospitals, in proportion to
10 each hospital’s payment of the assessment under sub. (4), all of the following:

11 (a) The amount appropriated under s. 20.435 (4) (xc) that is ineligible for
12 federal financial participation.

13 (b) After the amount under par. (a) is refunded, an amount that is 30.555
14 percent of the amount under par. (a).”.

15 **14.** Page 161, line 23: delete “made.” and substitute “made.”

16 **15.** Page 161, line 23: after that line insert:

“(4k) MEDICAL ASSISTANCE TRUST FUND APPROPRIATION INCREASE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (4) (w) of the statutes, as affected by the acts of 2007, the dollar amount is increased by \$58,500,000 for fiscal year 2007–08 and the dollar amount is increased by \$65,000,000 for fiscal year 2008–09 for the purposes for which the appropriation is made.”.”.

23 (END)

March 2008 Special Session

millers:.....John Anderson - KRM additions

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO SENATE AMENDMENT 1,
TO ASSEMBLY BILL 1**

1 At the locations indicated, amend the amendment as follows:

2 1. Page 17, line 19: after "(f)" insert "and (g)".

3 2. Page 17, line 19: delete "is" and substitute "are".

4 3. Page 19, line 12: after that line insert:

5 "(g) The governing bodies of the counties of Kenosha, Milwaukee, and Racine,
6 and of the most populous city in each of these 3 counties, may submit to the electors
7 in an advisory referendum the question of supporting an increase in the fees that
8 may be imposed by the authority under subch. XIII of ch. 77."

INSERT
9-14
A

1 **4.** Page 154, line 8: delete "\$2 \$15" and substitute "\$2, or not to exceed \$15 if
2 the governing body of the regional transit authority approves a fee under this section
3 at such a rate.".

4 **5.** Page 158, line 2: after that line insert:

5 "SECTION 14u. 611.11 (4) (a) of the statutes is amended to read:

6 611.11 (4) (a) In this subsection, "municipality" has the meaning given in s.

7 345.05 (1) (c), but also includes the regional transit authority under s. 59.58 (6)."

8 (END)

**SENATE AMENDMENT ,
TO SENATE AMENDMENT 1,
TO ASSEMBLY BILL 1**

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 2: after that line insert:

3 "1g. Page 3, line 4: delete "(6) (a)" and substitute "(4) (bv), (6) (a)."."

4 **2.** Page 1, line 3: delete "1" and substitute "1r".

5 **3.** Page 158, line 2: after that line insert:

6 **SECTION 15a.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is amended to read:

7 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001

8 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary

9 of administration shall lapse to the general fund or transfer to the general fund from

10 the unencumbered balances of appropriations to executive branch state agencies,

11 other than sum sufficient appropriations and appropriations of federal revenues, an

12 amount equal to \$200,000,000 during the 2007-09 fiscal biennium and \$200,000,000

✓
INSERT
1-1

INSERT
9-14
B

1 during the 2009-11 fiscal biennium. This paragraph shall not apply to the
2 appropriation to the department of health and family services under 20.435 (4) (bv)
3 of the statutes and to appropriations to the Board of Regents of the University of
4 Wisconsin System and to the technical college system board.”.

5 **4.** Page 160, line 24: after “of the statutes,” insert “to an appropriation to the
6 department of health and family services under section 20.435 (4) (bv) of the
7 statutes,”.

8 (END)

INS
9-14
B
cont.



State of Wisconsin
2007 - 2008 LEGISLATURE

March 2008 Special Session

LRBb1284/1

DAK/RLR/ARG:cjs&wlj:rs

now
SENATE AMENDMENT ,

TO SENATE AMENDMENT 1,

TO ASSEMBLY BILL 1

RMNR

At the locations indicated, amend the amendment as follows:

1. Page 1, line 2: after that line insert:

"1g. Page 3, line 4: delete "(6) (a)" and substitute "(4) (bv), (6) (a)."."

2. Page 1, line 3: delete "1" and substitute "1r".

3. Page 2, line 7: delete "147,726,500" and substitute "147,726,500".

4. Page 2, line 8: delete lines 8 to 10.

5. Page 2, line 23: delete the material beginning with that line and ending with
page 3, line 4.

6. Page 4, line 2: after that line insert:

"SECTION 9aim. 25.77 (11) of the statutes is created to read:

1 25.77 (11) In fiscal year 2007-08, \$58,500,000, and in fiscal year 2008-09 and
2 every fiscal year thereafter, \$65,000,000, as adjusted, if necessary, to comply with s.
3 50.375 (6), that is transferred from the hospital assessment fund.”.

4 **7.** Page 4, line 6: after “hospitals.” insert “From the hospital assessment fund
5 there is transferred to the Medical Assistance trust fund \$58,500,000 in fiscal year
6 2007-08 and \$65,000,000 in fiscal year 2008-09 and every fiscal year thereafter, as
7 adjusted, if necessary, to comply with s. 50.375 (6).”.

8 **8.** Page 4, line 7: delete the material beginning with that line and ending with
9 page 6, line 11, and substitute:

10 “**SECTION 9ajg.** 46.27 (9) (a) of the statutes is amended to read:

11 46.27 (9) (a) The department may select up to 5 counties that volunteer to
12 participate in a pilot project under which they will receive certain funds allocated for
13 long-term care. The department shall allocate a level of funds to these counties
14 equal to the amount that would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),
15 to nursing homes for providing care because of increased utilization of nursing home
16 services, as estimated by the department. In estimating these levels, the department
17 shall exclude any increased utilization of services provided by state centers for the
18 developmentally disabled. The department shall calculate these amounts on a
19 calendar year basis under sub. (10).

20 **SECTION 9ajh.** 46.27 (10) (a) 1. of the statutes is amended to read:

21 46.27 (10) (a) 1. The department shall determine for each county participating
22 in the pilot project under sub. (9) a funding level of state medical assistance
23 expenditures to be received by the county. This level shall equal the amount that the
24 department determines would otherwise be paid under s. 20.435 (4) (b), ~~(gp)~~, or (w),

1 or because of increased utilization of nursing home services, as estimated by the
2 department.

3 **SECTION 9aji.** 46.275 (5) (a) of the statutes is amended to read:

4 46.275 (5) (a) Medical Assistance reimbursement for services a county, or the
5 department under sub. (3r), provides under this program is available from the
6 appropriation accounts under s. 20.435 (4) (b), (~~gp~~), (o), and (w). If 2 or more counties
7 jointly contract to provide services under this program and the department approves
8 the contract, Medical Assistance reimbursement is also available for services
9 provided jointly by these counties.

10 **SECTION 9ajj.** 46.275 (5) (c) of the statutes is amended to read:

11 46.275 (5) (c) The total allocation under s. 20.435 (4) (b), (~~gp~~), (o), and (w) to
12 counties and to the department under sub. (3r) for services provided under this
13 section may not exceed the amount approved by the federal department of health and
14 human services. A county may use funds received under this section only to provide
15 services to persons who meet the requirements under sub. (4) and may not use
16 unexpended funds received under this section to serve other developmentally
17 disabled persons residing in the county.

18 **SECTION 9ajk.** 46.283 (5) of the statutes is amended to read:

19 46.283 (5) FUNDING. From the appropriation accounts under s. 20.435 (4) (b),
20 (bm), (~~gp~~), (pa), and (w) and (7) (b), (bd), and (md), the department may contract with
21 organizations that meet standards under sub. (3) for performance of the duties under
22 sub. (4) and shall distribute funds for services provided by resource centers.

23 **SECTION 9ajL.** 46.284 (5) (a) of the statutes, as affected by 2007 Wisconsin Act
24 20, is amended to read:

1 46.284 (5) (a) From the appropriation accounts under s. 20.435 (4) (b), (g), ~~(gp)~~,
2 (im), (o), and (w) and (7) (b), (bd), and (g), the department shall provide funding on
3 a capitated payment basis for the provision of services under this section.
4 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
5 under contract with the department may expend the funds, consistent with this
6 section, including providing payment, on a capitated basis, to providers of services
7 under the family care benefit.

8 **SECTION 9ajm.** 46.485 (2g) (intro.) of the statutes is amended to read:

9 46.485 (2g) (intro.) From the appropriation ~~accounts~~ account under s. 20.435
10 (4) (b) ~~and (gp)~~, the department may in each fiscal year transfer funds to the
11 appropriation under s. 20.435 (7) (kb) for distribution under this section and from the
12 appropriation account under s. 20.435 (7) (mb) the department ~~may not~~ shall
13 distribute ~~more than~~ \$1,330,500 in each fiscal year to applying counties in this state
14 that meet all of the following requirements, as determined by the department:".

15 **9.** Page 8, line 1: delete lines 1 to 17 and substitute:

16 "SECTION 9bfg. 49.45 (2) (a) 17. of the statutes is amended to read:

17 49.45 (2) (a) 17. Notify the governor, the joint committee on legislative
18 organization, the joint committee on finance and appropriate standing committees,
19 as determined by the presiding officer of each house, if the appropriation ~~accounts~~
20 account under s. 20.435 (4) (b) ~~and (gp) are~~ is insufficient to provide the state share
21 of medical assistance.

22 **SECTION 9bfh.** 49.45 (5m) (ag) of the statutes is repealed.

23 **SECTION 9bfi.** 49.45 (5m) (am) of the statutes is amended to read:

1 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriation accounts
2 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department shall distribute not more
3 than \$2,256,000 \$5,256,000 in each fiscal year 2007-08 and each fiscal year
4 thereafter, to provide supplemental funds to rural hospitals that, as determined by
5 the department, have high utilization of inpatient services by patients whose care
6 is provided from governmental sources, ~~and to provide supplemental funds to critical~~
7 ~~access hospitals~~, except that the department may not distribute funds to a rural
8 hospital ~~or to a critical access hospital~~ to the extent that the distribution would
9 exceed any limitation under 42 USC 1396b (i) (3).”.

10 **10.** Page 8, line 21: delete “~~or (w), or (xd)~~” and substitute “or (w)”.

11 **11.** Page 9, line 3: delete the material beginning with that line and ending
12 with page 11, line 23, and substitute:

13 **“SECTION 9bkg.** 49.45 (6v) (b) of the statutes is amended to read:

14 49.45 (6v) (b) The department shall, each year, submit to the joint committee
15 on finance a report for the previous fiscal year, except for the 1997-98 fiscal year, that
16 provides information on the utilization of beds by recipients of medical assistance in
17 facilities and a discussion and detailed projection of the likely balances,
18 expenditures, encumbrances and carry over of currently appropriated amounts in
19 the appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, and (o).

20 **SECTION 9bkh.** 49.45 (6x) (a) of the statutes is amended to read:

21 49.45 (6x) (a) Notwithstanding sub. (3) (e), from the appropriation accounts
22 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department shall distribute not more
23 than \$4,748,000 in each fiscal year, to provide funds to an essential access city
24 hospital, except that the department may not allocate funds to an essential access

1 city hospital to the extent that the allocation would exceed any limitation under 42
2 USC 1396b (i) (3).

3 **SECTION 9bki.** 49.45 (6y) (a) of the statutes is amended to read:

4 49.45 (6y) (a) Notwithstanding sub. (3) (e), from the appropriation accounts
5 under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department ~~shall~~ may distribute funding
6 in each fiscal year to provide supplemental payment to hospitals that enter into a
7 contract under s. 49.02 (2) to provide health care services funded by a relief block
8 grant, as determined by the department, for hospital services that are not in excess
9 of the hospitals' customary charges for the services, as limited under 42 USC 1396b
10 (i) (3). If no relief block grant is awarded under this chapter or if the allocation of
11 funds to such hospitals would exceed any limitation under 42 USC 1396b (i) (3), the
12 department may distribute funds to hospitals that have not entered into a contract
13 under s. 49.02 (2).

14 **SECTION 9bkj.** 49.45 (6y) (am) of the statutes is amended to read:

15 49.45 (6y) (am) Notwithstanding sub. (3) (e), from the appropriation accounts
16 under s. 20.435 (4) (b), (h), ~~(gp)~~, (o), and (w), the department shall distribute funding
17 in each fiscal year to provide supplemental payments to hospitals that enter into
18 contracts under s. 49.02 (2) with a county having a population of 500,000 or more to
19 provide health care services funded by a relief block grant, as determined by the
20 department, for hospital services that are not in excess of the hospitals' customary
21 charges for the services, as limited under 42 USC 1396b (i) (3).

22 **SECTION 9bkk.** 49.45 (6z) (a) (intro.) of the statutes, as affected by 2007
23 Wisconsin Act 20, is amended to read:

24 49.45 (6z) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation
25 accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w), the department may distribute

1 funding in each fiscal year to supplement payment for services to hospitals that enter
2 into indigent care agreements, in accordance with the approved state plan for
3 services under 42 USC 1396a, with relief agencies that administer the medical relief
4 block grant under this chapter, if the department determines that the hospitals serve
5 a disproportionate number of low-income patients with special needs. If no medical
6 relief block grant under this chapter is awarded or if the allocation of funds to such
7 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
8 may distribute funds to hospitals that have not entered into indigent care
9 agreements. The department may not distribute funds under this subsection to the
10 extent that the distribution would do any of the following:

11 **SECTION 9bkL.** 49.45 (8) (b) of the statutes is amended to read:

12 49.45 (8) (b) Reimbursement under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w) for home
13 health services provided by a certified home health agency or independent nurse
14 shall be made at the home health agency's or nurse's usual and customary fee per
15 patient care visit, subject to a maximum allowable fee per patient care visit that is
16 established under par. (c).

17 **SECTION 9bkM.** 49.45 (24m) (intro.) of the statutes is amended to read:

18 49.45 (24m) (intro.) From the appropriation accounts under s. 20.435 (4) (b),
19 ~~(gp)~~, (o), and (w), in order to test the feasibility of instituting a system of
20 reimbursement for providers of home health care and personal care services for
21 medical assistance recipients that is based on competitive bidding, the department
22 shall:

23 **SECTION 9bkN.** 49.45 (52) of the statutes is amended to read:

24 49.45 (52) PAYMENT ADJUSTMENTS. Beginning on January 1, 2003, the
25 department may, from the appropriation account under s. 20.435 (7) (b), make

1 Medical Assistance payment adjustments to county departments under s. 46.215,
2 46.22, 46.23, or 51.42, or 51.437 or to local health departments, as defined in s. 250.01
3 (4), as appropriate, for covered services under s. 49.46 (2) (a) 2. and 4. d. and f. and
4 (b) 6. b., c., f., fm., g., j., k., L., Lm., and m., 9., 12., 12m., 13., 15., and 16. Payment
5 adjustments under this subsection shall include the state share of the payments.
6 The total of any payment adjustments under this subsection and Medical Assistance
7 payments made from appropriation accounts under s. 20.435 (4) (b), ~~(gp)~~, (o), and (w),
8 may not exceed applicable limitations on payments under 42 USC 1396a (a) (30)
9 (A).”.

10 **12.** Page 13, line 22: delete the material beginning with that line and ending
11 with page 14, line 14, and substitute:

12 **“SECTION 9cbg.** 49.472 (6) (a) of the statutes is amended to read:

13 49.472 **(6)** (a) Notwithstanding sub. (4) (a) 3., from the appropriation account
14 under s. 20.435 (4) (b), ~~(gp)~~, or (w), the department shall, on the part of an individual
15 who is eligible for medical assistance under sub. (3), pay premiums for or purchase
16 individual coverage offered by the individual’s employer if the department
17 determines that paying the premiums for or purchasing the coverage will not be more
18 costly than providing medical assistance.

19 **SECTION 9cbh.** 49.472 (6) (b) of the statutes is amended to read:

20 49.472 **(6)** (b) If federal financial participation is available, from the
21 appropriation account under s. 20.435 (4) (b), ~~(gp)~~, or (w), the department may pay
22 medicare Part A and Part B premiums for individuals who are eligible for medicare
23 and for medical assistance under sub. (3).

24 **SECTION 9cbi.** 49.473 (5) of the statutes is amended to read:

1 49.473 (5) The department shall audit and pay, from the appropriation
2 accounts under s. 20.435 (4) (b), ~~(gp)~~, and (o), allowable charges to a provider who is
3 certified under s. 49.45 (2) (a) 11. for medical assistance on behalf of a woman who
4 meets the requirements under sub. (2) for all benefits and services specified under
5 s. 49.46 (2).”.

6 **13.** Page 15, line 7: after “shall” insert “, for each fiscal year,”.

7 **14.** Page 15, line 10: delete “accounts under s. 20.435 (4) (xc) and (xd)” and
8 substitute “account under s. 20.435 (4) (xc) and specified in s. 25.77 (11)”.

9 **15.** Page 15, line 13: delete lines 13 to 19 and substitute:

10 “(6) If the department determines that any portion of the revenue that is
11 collected under sub. (5) and appropriated under s. 20.435 (4) (xc) to provide Medical
12 Assistance payment increases for inpatient and outpatient hospital services as fee
13 for service or through health maintenance organizations is not eligible for federal
14 financial participation, the department shall refund to hospitals, in proportion to
15 each hospital’s payment of the assessment under sub. (4), all of the following:

16 (a) The amount appropriated under s. 20.435 (4) (xc) that is ineligible for
17 federal financial participation.

18 (b) After the amount under par. (a) is refunded, an amount that is 30.555
19 percent of the amount under par. (a).”.

20 **16.** Page 17, line 19: after “(f)” insert “and (g)”.

21 **17.** Page 17, line 19: delete “is” and substitute “are”.

22 **18.** Page 19, line 12: after that line insert:

23 “(g) The governing bodies of the counties of Kenosha, Milwaukee, and Racine,
24 and of the most populous city in each of these 3 counties, may submit to the electors

1 in an advisory referendum the question of supporting an increase in the fees that
2 may be imposed by the authority under subch. XIII of ch. 77.”

3 **19.** Page 154, line 8: delete “\$2 \$15” and substitute “\$2, or not to exceed \$15
4 if the governing body of the regional transit authority approves a fee under this
5 section at such a rate,”.

6 **20.** Page 158, line 2: after that line insert:

7 “**SECTION 14u.** 611.11 (4) (a) of the statutes is amended to read:

8 611.11 (4) (a) In this subsection, “municipality” has the meaning given in s.
9 345.05 (1) (c), but also includes the regional transit authority under s. 59.58 (6).”

10 **SECTION 15a.** 2007 Wisconsin Act 20, section 9201 (1c) (a) is amended to read:
11 [2007 Wisconsin Act 20] Section 9201 (1c) (a) Notwithstanding sections 20.001
12 (3) (a) to (c) and 25.40 (3) of the statutes, but subject to paragraph (d), the secretary
13 of administration shall lapse to the general fund or transfer to the general fund from
14 the unencumbered balances of appropriations to executive branch state agencies,
15 other than sum sufficient appropriations and appropriations of federal revenues, an
16 amount equal to \$200,000,000 during the 2007-09 fiscal biennium and \$200,000,000
17 during the 2009-11 fiscal biennium. This paragraph shall not apply to the
18 appropriation to the department of health and family services under 20.435 (4) (bv)
19 of the statutes and to appropriations to the Board of Regents of the University of
20 Wisconsin System and to the technical college system board.”

21 **21.** Page 160, line 24: after “of the statutes,” insert “to an appropriation to the
22 department of health and family services under section 20.435 (4) (bv) of the
23 statutes,”.

24 **22.** Page 161, line 23: delete “made.” and substitute “made.”.

1 **23.** Page 161, line 23: after that line insert:

“(4k) MEDICAL ASSISTANCE TRUST FUND APPROPRIATION INCREASE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of health and family services under section 20.435 (4) (w) of the statutes, as affected by the acts of 2007, the dollar amount is increased by \$58,500,000 for fiscal year 2007-08 and the dollar amount is increased by \$65,000,000 for fiscal year 2008-09 for the purposes for which the appropriation is made.”.

8 (END)